

9-28-01

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Express Mail No. ET235015451US

Docket No. 13761-7030

10/27/01
JC49
09/27/01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

11000 U.S. PRO
09/966561
09/27/01

Applicant: Miller, et al.
 Filing Date: September 27, 2001
 Serial No.: Unasigned
 Title: TREATING NEUROLOGICAL DISORDERS USING HUMAN APOPTOSIS INHIBITING PROTEIN.

Assignee: Unassigned
 Examiner: Unassigned
 Group Art Unit: Unassigned

Assistant Commissioner for Patents
BOX PATENT APPLICATION
 Washington, D.C. 20231

Sir:

Transmitted herewith for filing in connection with the above-identified patent application are the following:

I. Elements of the Application

Application [0] page(s) of Cover Sheet
 [48] page(s) of Specification
 [3] page(s) of Claims (20 claims)
 [1] page(s) of Abstract
 [9] sheets of Drawings Formal Informal

Declaration and Power of Attorney [3] page(s)
 [] Unexecuted Executed Copy from prior application (37CFR § 1.63(d))

Deletion of Inventors: [] page(s) of signed statement deleting inventor(s) (37CFR§ 1.63(d) & 1.33(b))

Request and Certification Under 35U.S.C. 122(b)(2)(B)(i)

Nucleotide and/or Amino Acid Sequence Submission:
 [] page(s) of Sequence Listing (paper copy)
 [] disk(s) containing Sequence Listing (computer readable copy)
 [] page(s) of Statement Under 37 CFR 1.821(f)

Microfiche Computer Program Appendix _____

II. Claim for U.S. Priority

This application is a Continuation Divisional Continuation-in-Part of Prior Application No. 09/419,694 filed October 14, 1999. (35 USC §120)

This application claims the benefit under 35 U.S.C. §119(e) of United States Application Serial No. 60/111,502, filed December 8, 1998. (Provisional Application)

The entire disclosure of the prior application referenced above, is considered as being part of the application filed herewith and is herein incorporated by reference in its entirety.

III. Claim for Foreign Priority

This application claims the benefit under 35 USC §119 of Prior Application No. _____ filed _____.
 Certified Copy of Priority Document [] page(s)
 English Translation of Priority Document [] page(s)

IV. Accompanying Documents

Assignment Papers [] page(s) of Recordation Cover Sheet [] page(s) of Assignment

Applicant(s) claims Small Entity Under 37 CFR § 1.27 [X] Verified Small Entity Statement was previously filed in Prior Application No. 09/419,694, filed on October 14, 1999.

Information Disclosure Statement [] page(s) of PTO-1449 [] copies of IDS References

A Preliminary Amendment [] page(s)

A copy of a Petition for Extension of Time (mos.) filed simultaneously in Prior Application No. _____

A copy of a Submission of Processing & Retention Fee (37 CFR § 1.78(a)(1) which is being filed simultaneously in Prior Application No. _____

Other _____ (specify)

Return Receipt Postcard (MPEP 503) (Should be specifically itemized)

V. Fee Calculation

<input checked="" type="checkbox"/> The following fees are submitted:					CALCULATIONS
		OTHER THAN SMALL ENTITY	SMALL ENTITY	\$	
BASIC NATIONAL FILING FEE		\$ 710.00	\$ 355.00	\$355.00	
EXTRA CLAIMS FEE					
CLAIMS	# FILED	# EXTRA	RATE	RATE	
Total Claims	20 - 20 =		× \$18.00	× \$ 9.00	\$
Independent claims	3 - 3 =		× \$80.00	× \$40.00	\$
MULTIPLE DEPENDENT CLAIM(S)					
<input type="checkbox"/> Yes	<input type="checkbox"/> No		\$270.00	\$135.00	\$
Fee for recordation of the enclosed assignment (37 CFR 1.21(h), 3.28, 3.31). _____ (Numbers of Applications) × \$40.00					\$
OTHER FEES _____ (specify)					\$
OTHER FEES _____ (specify)					\$
TOTAL FEES =					\$355.00

a. A check in the amount of \$355.00 to cover the above fees is enclosed.

b. Please charge Deposit Account No.: _____, Docket No. _____, in the amount of \$ _____ to cover the above fees. *A duplicate copy of this sheet is enclosed.*

c. The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 50-1192, Docket No. 13761-7030. *A duplicate copy of this sheet is enclosed*

SEND ALL CORRESPONDENCE TO:

Rajiv Yadav
 McCutchen, Doyle, Brown & Enersen, LLP
 Three Embarcadero Center, 18th Floor
 San Francisco, CA 94111
 Telephone: (415) 393-2000
 Facsimile: (415) 393-2286

SIGNATURE

September 27, 2001

NAME

DATE

Rajiv Yadav

43,999

REGISTRATION NUMBER

Certificate of Mailing/Transmission (37 C.F.R. § 1.8(a)):

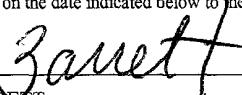
X Pursuant to 37 C.F.R. § 1.8, I hereby certify that this paper and all enclosures are being deposited with the United States Express Mail on the date indicated below in an envelope addressed to the Assistant Commissioner for Patents, Washington D.C. 20231.

[] Pursuant to 37 C.F.R. § 1.6(d), I hereby certify that this paper and all enclosures are being sent via facsimile on the date indicated below to the attention of Examiner _____ at Facsimile No. _____ at _____ a.m./p.m.

Dated: September 27, 2001

Name of Person Certifying: _____

Printed Name: _____



LAER BARRETT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Miller, et al.

Assignee: University of Southern California

Filing Date: September 27, 2001

Examiner: Unassigned

Serial No.: Unassigned

Group Art Unit: Unassigned

Title: **TREATING NEUROLOGICAL DISORDERS USING HUMAN APOPTOSIS INHIBITING PROTEIN.**

REFERENCE TO PREVIOUSLY FILED IDENTICAL COMPUTER READABLE FORM; CONTINUING OR DERIVATIVE APPLICATIONS; REQUEST FOR TRANSFER OF COMPUTER READABLE FORM UNDER 37 C.F.R. §§ 1.821(e)

Assistant Commissioner for Patents
BOX SEQUENCE
Washington, D.C. 20231

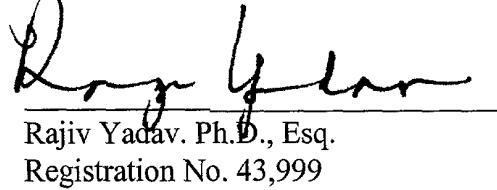
Dear Sir:

The paper copy of the Sequence Listing in this application, is identical to the computer readable copy of the Sequence Listing filed in application 09/419,694, filed October 14, 1999. In accordance with 37 C.F.R. 1.821(e), please use the only computer readable form filed in that application as the computer readable form for the instant application. It is understood that the Patent and Trademark Office will make the necessary change in application

number and filing date for the instant application. A paper copy of the Sequence Listing is included in the originally-filed specification of the instant application.

Respectfully submitted,

McCutchen, Doyle, Brown & Enersen, LLP



Rajiv Yadav, Ph.D., Esq.
Registration No. 43,999

Date: September 27, 2001

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DRAFT - DO NOT CITE OR RELY UPON